THE HON'BLE SRI JUSTICE N.V. RAMANA

WRIT PETITION NO: 11249 OF 2007

DATED: 5.6.2007

Between:

B.Govind

Petitioner

And

The Chairman & Managing Director,
APTRANSCO,
Khairatabad, Hyderabad and others.

Respondents

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THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO. 11249 of 2007

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ORDER:

This writ petition is filed seeking a direction to the respondents to consider the case of the petitioner for the post of Junior Lineman in the 2nd respondent Corporation without subjecting him for pole climbing test in the interview.

Heard learned counsel for petitioner and the learned Standing Counsel for the respondents and at their request, the writ petition is taken up for final disposal at the admission stage itself.

According to the petitioner, he is already working with the 1st respondent Corporation as a skilled labourer. On 12.2.2007, while he was attending to fuse off call at Veltoor(Ag.) by climbing the pole for reconnection of service, he got induction and fell down from the pole. Thereafter, he was admitted in the Civil Hospital, Kollapur. There, he was treated as an inpatient and subsequently discharged from the hospital. However, the doctors advised three months bed rest. It is also stated that the petitioner is not fully recovered. In the meanwhile, the subject notification was issued by the respondent company inviting applications from the casual labourers for the post of Junior Lineman and since the petitioner is not fully recovered from the injuries sustained by him while on duty, though he is eligible for consideration to the said post, he is unable to appear for the pole

climbing test. In fact, the Assistant Divisional Engineer, Wanaparthy has recommended his case for exemption from climbing the pole vide letter dated 21.5.2007 addressed to the Divisional Engineer, Wanaparthy. Hence this writ petition is filed seeking exemption from attending to the pole climbing test.

When the matter came up on 30.5.2007, this Court has directed the standing counsel for the respondent company to file counter affidavit. But, no counter affidavit is filed till today. However, the learned standing counsel fairly agreed that in view of the accident, which has taken place while discharging the duties, the case of the petitioner can be considered for exemption from pole climbing test.

In the circumstances, without going into the merits of the case, the writ petition is allowed directing the respondents to consider the case of the petitioner for the post of Junior Lineman by exempting him from pole climbing test.

N.V.RAMANA,J

DATE: 5.6.2007

Note:
Issue Operative portion by wire
B/o
msv